

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS,

and

BELL ATLANTIC MOBILE OF MASSACHUSETTS
CORPORATION, LTD. d/b/a VERIZON WIRELESS

Plaintiffs

v.

Civil Action No. 05-10655 RCL

THE TOWN OF BROOKLINE, MASSACHUSETTS
TOWN OF BROOKLINE BOARD OF APPEALS;
and DIANE R. GORDON, HARRY MILLER,
BAILEY SILBERT, ENID STARR, and
MURRAY SCHOCKET in their official capacities as
members of the Town of Brookline Board of Appeals,

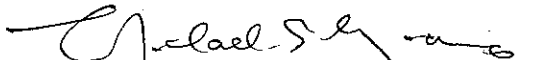
Defendants

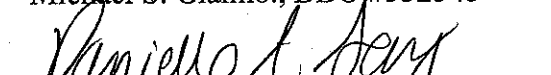
STIPULATION OF DISMISSAL

1. In that the Plaintiffs have been duly permitted to install and operate a personal wireless facility at 280 Newton Street, Brookline, aka Brandegee House, the parties to the above-entitled matter hereby stipulate, pursuant to Fed. R. Civ. P. 41 (a)(1) that the Complaint in the above-named case shall be dismissed without costs. The parties acknowledge and agree that the dismissal shall be with prejudice as to Count II only, and otherwise without prejudice.

CELLCO PARTNERSHIP d/b/a/ VERIZON
WIRELESS, and BELL ATLANTIC MOBILE OF
MASSACHUSETTS, CORP. LTD d/b/a
VERIZON WIRELESS,

By their attorneys,


Michael S. Giaimo., BBO #352545



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Date: September 28, 2006

THE TOWN OF BROOKLINE, et al

By their attorneys,


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